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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WASHINGTON**

In re:

GIGA WATT, Inc., a Washington  
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

Chapter 11

**CHAPTER 11 TRUSTEE'S  
MOTION FOR ORDER: (I)  
APPROVING THE SALE OF  
MOSES LAKE EQUIPMENT AND  
RELATED RELIEF, (II)  
APPROVING BID PROCEDURES,  
AND (III) SHORTENING TIME TO  
OBJECT**

**Telephonic Hearing**

Date: October 6, 2020

Time: 10:30 a.m.

Telephone: (509) 353-3183

Mark D. Waldron, in his official capacity as the Chapter 11 Trustee (the  
“Trustee”), hereby moves (the “Motion”) the Court pursuant to 11 U.S.C. § 105,  
11 U.S.C. § 363, Fed.R.Bank.P. 2002(a)(2), Fed.R.Bank.P. 6004(a), (b), (c), (e),

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(f) and (h), Fed.R.Bank.P 9006(c), Fed.R.Bank.P. 9007, Fed.R.Bank.P. 9014 and L.B.R. 2002-1 for an Order, in the form attached hereto as **Exhibit A**:

1. approving the sale (“Sale”) of certain equipment (the “ML Equipment”) located at the Debtor’s facility in Moses Lake, Washington (the “ML Facility”), free and clear of all liens, claims and interests, pursuant to the agreement (the “Sale Agreement”), attached hereto as **Exhibit B**;

2. approving the bid procedures (the “Bid Procedures”) as described in the supporting memorandum, filed herewith; and

3. hearing the Motion on shortened notice with service to occur on September 23, 2020. Objections to the Sale will be due on October 2, 2020. Objections to the request for shortened notice will be due at the hearing on the Motion.

The material terms of the Agreement are as follows:

	Description	Agreement
Buyer	Chain Lodge 1, LLC, a Washington limited liability company	Preamble
Purchase Price	\$42,000, subject to overbidding	¶¶ 4, 7
Deposit	Buyer pays refundable deposit of \$4,200. Deposit applied to Purchase Price, if approved. If Sale not approved, Trustee to return to deposit to Buyer	¶ 6
Assets Sold	ML Equipment	¶ 1
Conditions	Court approval of sale free and clear of all liens, claims and interest	¶ 5

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	Description	Agreement
Excluded Assets	Five (5) Antminer S9 miners and ninety-five (95) Panda B3 miners being transferred to Allrise IP Holding, Inc., by separate agreement  Equipment located in Pod 8 of the ML Facility  The electrical infrastructure, any shelving, and Power Distribution units (PDUs) located at the ML Facility  The forklift or any property or items not listed on Schedule 1	¶1(i)-(iv)
Overbidding	Subject to overbidding in increments of \$5,000. Buyer may participate in overbidding.	¶ 10
Break-Up Fee	None	
Delivery	Trustee completes delivery by making ML Equipment available to Buyer at their current location  Buyer assumes all responsibility, expense and risk of moving ML Equipment	¶ 9
Conditions	Court approval	¶ 5
Closing Date	Within seven (7) calendar days after entry of order approving the Sale	¶ 7
Warranties	Property sold “As Is”; Buyer not relying on Trustee’s equipment inventory; Buyer relying on own inventory	¶ 11

1 Notice (the “**Notice**”), in substantially the form attached hereto as **Exhibit**  
2 **C**, will be served upon the Master Mailing List and all parties who have contacted  
3 the Trustee regarding equipment purchase.

4 This Motion is supported by the *Memorandum of Points and Authorities*  
5 and the *Declaration of Mark D. Waldron*, filed herewith.

6 WHEREFORE, the Trustee respectfully requests entry of an Order:

- 7 1. Granting the Motion;
- 8 2. Approving the Sale free and clear of all liens, claims and interests;
- 9 3. Approving the Bid Procedures;
- 10 4. Finding that the Agreement is entered into in good faith and waiving  
11 the 14-day stay set forth in Fed.R.Bank.P. 6004(h);
- 12 5. Granting the request for shortened time;
- 13 6. Approving the form and manner of service of the Notice; and
- 14 7. Granting such other and further relief as the Court deems necessary  
15 and just.

16 Dated: September 23, 2020

POTOMAC LAW GROUP PLLC

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18 By: /s/ Pamela M. Egan  
Pamela M. Egan (WSBA No. 54736)

19 *Attorneys for Mark D. Waldron, Chapter 11*  
20 *Trustee*

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